

# FACT SHEET: CHEMICAL AGENT USE

The following is a summary on the use of chemical agents on youth in confinement. This information can be found in the Office of the Child Advocate report on conditions of confinement at Manson Youth Institution and York Correctional Institution. [Read the full report here.](#)

## CHEMICAL AGENT USE ON YOUTH IN CONFINEMENT

Pepper spray, otherwise known as aerosolized oleoresin capsicum or “OC spray” is used by corrections as part of a continuum of population management/facility security strategies DOC administrators reported to OCA **that use of chemical agent on youth who are fighting is considered an unplanned use of force.**

The U.S. Department of Justice (DOJ) has noted there are constitutional boundaries to its use including several bursts or extended amounts of spray may be unlawful as inhalation of high doses of some of the chemicals found in OC spray can produce adverse cardiac, respiratory, and neurologic effects, including arrhythmias and sudden death.

With acute exposure, there is a rapid onset of symptoms including nausea, fear and disorientation. **The majority of states prohibit the use of chemical agents in juvenile facilities.**

**DOJ has found constitutional violations when facilities have not taken steps to ensure that youth or adults with vulnerable health conditions, such as asthma, are not subjected to pepper spray.**

Until 2019, Connecticut law did not address the use of chemical agents on minors – leading the way to Conn. Gen. Statute 46b-133k being enacted, requiring that as of August 1, 2020, and “monthly thereafter,” the DOC must report to the Juvenile Justice Policy and Oversight Committee (JJPOC) **“each instance, if any, of use of chemical agents or prone restraints on any person ages seventeen years of age or younger.”**

DOC is also required to develop “a policy of best practices in correctional facilities where persons ages 17 years and under are detained,” addressing, in part, the “harmful effects of using chemical agents and prone restraints on detained persons, including limiting and documenting the use of such chemical agents and limiting the use of prone restraints.”

## THE NATIONAL INSTITUTE OF CORRECTIONS’ DESKTOP GUIDE TO WORKING WITH YOUTH IN CONFINEMENT PROVIDES:

- Use of pepper spray puts the health of youth at risk
- Chemical agents generate adverse physical reactions that can be exacerbated in secure settings with poor ventilation – causing potential harm to youth and staff, even if they are not direct targets of its use.
- Children with asthma and other health problems are at particular risk, as are those who are taking psychotropic medications.
- The use of chemical restraints, like mechanical restraints, can traumatize youth and undermine their rehabilitative efforts.

## OCA UPDATED FINDINGS ON CHEMICAL AGENT USE: BOYS UNDER 18 AT MYI

- Between February 11, 2019, and November 6, 2019, there were 18 boys subjected to chemical agents during 11 incidents (a decrease of 1 incident from 2018).
- Twelve boys subjected to chemical agents were Black, five (5) were Hispanic and one (1) youth was White.
- All incidents leading to the use of chemical agents involved youth fighting each other.
- **Several boys subjected to chemical agents were boys with psychiatric disabilities and/or asthma.**
- In 2020, there were 8 incidents of chemical agent use (a decrease of 3 incidents from 2019) involving 13 boys at MYI.

The DOC reiterated that it is working to reduce reliance on chemical agents and cited an uptick in chemical agent utilization in recent months. As noted above, the legislature now requires the DOC to report to JJPOC regarding each use of chemical agent or prone restraint with minor youth.